

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



UNITED STATES OF AMERICA

v.

Case No. 1:23-cr-198

MELVIN PLOWDEN,
a/k/a "Nose,"

Defendant.

STATEMENT OF FACTS

The United States and the defendant, MELVIN PLOWDEN, a/k/a "Nose," agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. Federally licensed firearms dealers are required under the provisions of Chapter 44 of Title 18, United States Code, to have purchasers of firearms complete a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record ("ATF Form 4473") with each firearm purchase. The dealers are required to maintain this form with their records.

2. Question 11.a. of ATF Form 4473 states as follows: "Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you."

3. On or about June 4, 2020, in the Eastern District of Virginia, the defendant, in connection with the acquisition of a firearm, to wit: a Springfield Armory .45 caliber pistol bearing serial number MG689511, from New American Arms, LLC ("New American Arms"), a licensed

dealer of firearms within the meaning of Chapter 44 of Title 18, United States Code, aided and abetted another person (hereinafter, "CC-1") in making a false and fictitious written statement on ATF Form 4473 to New American Arms, which statement was intended and likely to deceive New American Arms, as to facts material to the lawfulness of such sale of said firearm to the purchaser under Chapter 44 of Title 18, United States Code, in that CC-1 falsely represented that CC-1 was purchasing the firearm for himself, despite knowing that he was, in fact, purchasing the firearm on behalf, and at the behest, of the defendant, in violation of Title 18, United States Code, Sections 922(a)(6) and 2.

4. As of at least October 2019, the defendant knew that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year and therefore could not lawfully acquire firearms.

5. Beginning in or around October 2019 through at least in or around June 2020, the defendant entered into an agreement with CC-1 whereby CC-1, who had a valid Virginia identification card and no prior felony convictions, would purchase firearms from licensed firearms dealers in the Eastern District of Virginia for the defendant by way of a straw purchase.

6. During the conspiracy, the defendant provided instructions to CC-1 on which firearms to purchase and how to fill out the ATF Form 4473. The defendant also gave money to CC-1 or had others transfer money to CC-1 via CashApp to purchase the firearms.

7. While acting under the direction of the defendant, CC-1 purchased firearms on behalf of the defendant by falsely stating in response to Question 11.a on various ATF Forms 4473 that CC-1 was the actual transferee/buyer of the firearms when, in fact, the actual transferee/buyer was the defendant. Immediately after purchasing a firearm, CC-1 would transfer ownership of the firearm to the defendant.

8. During the conspiracy, the defendant and CC-1 used cell phones to communicate with each other about firearms purchases, including through voice calls.

9. Between on or about October 19, 2019, and June 5, 2020, in the Eastern District of Virginia, CC-1 purchased 33 firearms and attempted to purchase one additional firearm, all on the defendant's behalf, by falsely filling out an ATF Form 4473, as identified in the table below:

| Date of Form 4473 | Licensed Dealer | Manufacturer | Model | Caliber | Type | Serial Number |
|-------------------|------------------------|-----------------|------------|---------|------------------|---------------|
| 10/18/2019 | Sharpshooters | Mossberg | 715P | .22LR | Pistol | EHK3994844 |
| 12/29/2019 | Dominion Defense | Glock | 30S | .45 ACP | Pistol | WLD988 |
| | | Glock | 30S | .45 ACP | Pistol | XLL476 |
| 5/15/2020 | Sharpshooters | Smith & Wesson | Shield EZ | .380 | Pistol | NFJ8561 |
| 5/15/2020 | Dominion Defense | Glock | 30 | .45 ACP | Pistol | DDB878US |
| | | Glock | 30 | .45 ACP | Pistol | UYV790 |
| | | Glock | 36 | .45 ACP | Pistol | DEG910US |
| | | Glock | 22 | .40 | Pistol | NRPC557 |
| 5/16/2020 | Dominion Defense | Smith & Wesson | SW380 | .380 | Pistol | RAB3942 |
| | | Glock | 22 | .40 | Pistol | RKU759 |
| 5/16/2020 | Trojan Arms & Tactical | Glock | 27 Gen 4 | .40 | Pistol | ACWD594 |
| | | Glock | 29 Gen 4 | 10mm | Pistol | BLYA439 |
| | | Century Arms | Mini Draco | 7.62 | Semi Auto Pistol | PI-0987-2019 |
| | | Glock | 30S | .45 ACP | Pistol | BNBB741 |
| 5/24/2020 | NOVA Armory | Glock | 26 | .9mm | Pistol | BMXV326 |
| | | Glock | 26 | .9mm | Pistol | ACWG762 |
| 5/28/2020 | Trojan Arms & Tactical | Glock | 20 Gen 4 | 10mm | Pistol | BNAT445 |
| | | Glock | 27 Gen 4 | .40 | Pistol | ACWD599 |
| | | Glock | 20 | 10mm | Pistol | BMXY081 |
| | | Glock | 30SF | .45 ACP | Pistol | BNBE646 |
| | | Glock | 27 Gen 4 | .40 | Pistol | ACWD590 |
| | | Glock | 21 Gen 4 | .45 ACP | Pistol | STL150 |
| 5/31/2020 | Dominion Defense | Glock | 21 Gen 4 | .45 ACP | Pistol | ZKC962 |
| | | Glock | 30 | .45 ACP | Pistol | PEC927 |
| | | Spikes Tactical | SL15 | Multi | Receiver | SAR07349 |
| | | Spikes Tactical | ST15 | Multi | Receiver | SCR055587 |

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|----------|-------------------|--------------------|--------------|---------|--------|----------|
| 6/1/2020 | Dominion Defense | Glock | 21 | .45 ACP | Pistol | XVW987 |
| 6/4/2020 | New American Arms | Springfield Armory | XDM 3.8 Comp | .45 | Pistol | MG689511 |
| | | Smith & Wesson | M&P 40 M2.0 | .40 | Pistol | NEE2810 |
| | | Smith & Wesson | M&P | .380 | Pistol | NDE0339 |
| 6/5/2020 | C&R Firearms | Beretta | APX | .9mm | Pistol | A025365X |
| | | Glock | 23 | .40 | Pistol | PXE892 |
| | | Beretta | APX Compact | .9mm | Pistol | A063316X |
| | | Beretta | APX Compact | .9mm | Pistol | JAXC921 |

10. Of the above firearms purchased by CC-1 on behalf of the defendant, 17 have been recovered in connection with criminal activity or from individuals prohibited from possessing firearms, including the defendant.

11. Specifically, on or about June 4, 2020, CC-1 purchased a Springfield Armory .45 caliber pistol bearing serial number MG689511 at New American Arms, an FFL located in Richmond, Virginia, within the Eastern District of Virginia. In connection with the acquisition of this firearm, CC-1 filled out an ATF Form 4473 and falsely stated that CC-1 was the buyer of the firearm listed on the form, when in truth and in fact, CC-1 was purchasing the firearm on behalf and at the behest of the defendant. Shortly after purchasing the firearm, CC-1 provided the firearm to the defendant.

12. Approximately 10 days later, on June 14, 2020, the defendant was arrested following an incident that took place in Oxon Hill, Maryland. After the defendant's arrest, the defendant's vehicle was towed and kept in the custody of the Prince George's County Police Department ("PGPD") pending the retrieval and execution of a search warrant. Prior to the search warrant being executed, in plain view, officers observed a firearm located under the driver's seat

of the vehicle. The firearm was removed from the vehicle and seized by PGPD. The recovered firearm was the same Springfield Armory .45 caliber pistol bearing serial number MG689511 that CC-1 had purchased from New American Arms on June 4, 2020.

13. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

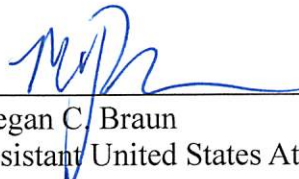
14. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

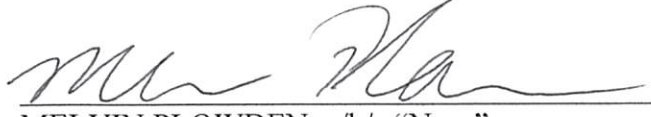
Jessica D. Aber
United States Attorney

Date: February 13, 2024

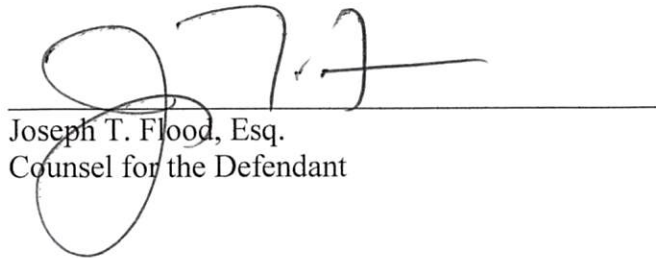
By: _____


Megan C. Braun
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between me and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


MELVIN PLOWDEN, a/k/a "Nose"
Defendant

I am Joseph T. Flood, the defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Joseph T. Flood, Esq.
Counsel for the Defendant